

**Minutes of the Carlisle Board of Health
January 8, 2013**

Present: Board members Jeff Brem (Chairman), Bill Risso (Vice-Chairman), Catherine Galligan, Vallabh Sarma, Donna Margolies; Linda Fantasia (Agent), Cynthia Sorn (Mosquito), Larry Barton (Finance Director)

The meeting was called to order by the Chairman at 7:00 pm. at Carlisle Town Hall.

ADMINISTRATIVE REPORTS

Boston University School of Public Health (BUSPH) – the Board agreed to submit an application for an intern to do a bio-statistical survey for Carlisle. This information will be useful in applying for future grants and in better identifying the health needs of the community.

Long Ridge Road – the developer (Brem) withdrew his application before the Planning Board for a Conservation Cluster Special Permit. No action is required by the Boards.

Installer Licensing – Licenses need to be renewed each calendar year. Applicants must take a test if they have not worked in town for the previous two years. The Board had some problems with installers last year and is interested in evaluating the work being done. Lyman had prepared a summary of installers, companies, project sites, number of inspections needed and any problems. At one time the Board considered doing an annual report for each installer which would be available to homeowners. The Board felt the summary should list the reasons for re-inspections rather than just the number. A re-inspection is not necessarily a sign of poor workmanship but could be interpreted that way. Fantasia and Lyman will revise the table which could be useful for homeowners hiring a contractor.

DEP/MHOA Seminar – 2/16/13 in Wilmington. Attendance will be charged to the Title 5 Administrative Grant.

Annual Town Meeting Timelines were distributed.

DISCUSSION ITEMS

36 Log Hill Road- Status report. – Fantasia said the costs of enforcement were not covered by the permit fees and asked if there were any way for the Board to recover the costs. She calculated an additional 13.0 hrs. of her time issuing notices of non-compliance relative to the septic system installation. This was in addition to the administrative work involved. The Board noted that much of the delay was the responsibility of the owner. The actual installation was also found not to be in compliance and the Board dealt with the installer at a previous meeting. Fantasia listed the dates of the Notices of Non-Compliance which also involved conferring with town counsel. Brem said that fines can only be collected through an enforcement process which requires a public hearing. It was too late for the Board to start this process. The Board agreed that the installer, Todd Brown of Lincoln Tree and Landscaping, did not comply with local regulations. The field was covered prior to inspection. The tank was located incorrectly and grading was placed on the town's right of way. According to the current regulation, a first offense results in a warning letter. A second offense can result in a fine and a third offense a fine and loss of license. The Board discussed whether the violations should be considered as one project or individual violations. The Board agreed that Section 15.204 should be revised so that a fine could be issued immediately. Brem said that any Enforcement Order should be signed by the chairman. Brem noted that each day constitutes a separate offense according to Title 5 which has a \$300 per day fine for violations. Appeals require an adjudicatory hearing. Fines are issued immediately but can be refunded depending on the outcome. Galligan agreed that a fine is needed but would also like to see other more constructive remedies. The Board agreed it will issue a \$300 fine when an Enforcement Order is issued and follow due process. Each day will be a separate offense.

Library Tank Upgrade – design flows. There are no Title 5 design flow criteria for libraries. A facility for which there are no design flows is allowed to use water meter readings plus 200%. The septic tank at the Library failed last April. The Board reviewed a letter dated 1/2/13 from Stamski & McNary, Inc. (SMI) to DEP requesting an alternative design flow based on three years of meter readings (2010, 2011, 2012). A few anomalies were noted due to a leaking toilet and faucets. SMI calculated an Average Design Flow Rate without irrigation to be 335 GPD.

DEP needs to approve the flows. The Board agreed with the calculations but wants to make sure a minimum 1500 gallon dual compartment (or two tanks in series) is installed. Fantasia was asked to forward this to Claire Golden, NE DEP Coordinator.

Annual Report – due 2/8/13. Fantasia will prepare a draft for the Board. The Board wants the number of Title 5 Inspections, public water supplies and waste water treatment plants noted in the report.

FY14 Preliminary Budget. Galligan, Sarma and Fantasia are reviewing 53E fees and expenses. The account is carrying a low balance due to the economic slowdown. Galligan is proposing to breakdown the cost and time (engineering and administrative) of each fee related activity. She will have a draft for the next meeting. It was agreed that the Board should contact its Finance Committee liaison (Karen Huntress) to advise her of the problems with the 53E. The Board is concerned that the account may run out of money before new fees are collected. Galligan said an initial look shows that tasks are costing more than the town is collecting. Having a breakdown will allow the Board to decide how to revise fees. Risso said the Finance Committee needs to indicate the percentage of an expense to be covered by fees. If it is not 100% then the Board's budget needs to increase to meet cost overruns. Items that have affected the revolving account include the Permit Extension Act, Geothermal Wells, and more Alternative Technology systems. Galligan said that she is finding a similarity in the time involved for administrative tasks comparable to a survey she did for another job. This is reassuring that the numbers are accurate. She will send out her draft for discussion at the next meeting. Fantasia has been collecting fee schedules from sister towns – Dover, Lincoln, Wenham, Boxford.

Hazardous Waste Collection – scheduled for 5/4/13 with Clean Harbors. The Board agreed to include a sharps disposal collection. The cost is \$100 per box. Acton normally uses 3 boxes for a collection. The sharps need to be packaged in non-crushable, leak proof containers or sharps disposal containers. Clean Harbors will not handle sharps out of containers.

Solid Waste Regulations – MA Dept. of Environmental Protection (DEP) is proposing revisions to 310 CMR 19.00 "Solid Waste Regulations" to streamline permitting of transfer stations. Comment period runs through 2/8/13. The Board asked Fantasia to consult with DPW Director Gary Davis on the Transfer Station Permit and operations. The proposed regulations would standardize the use of third party inspections and reduce the need for DEP oversight.

Benfield Farms Development – the Board approved the draft letter of approval and signed the septic system construction permit. The Board will hold the permit until the latest engineering invoice is paid.

Wellness Grant – Fantasia would like to apply for funding for a project to work on developing tobacco free multi-unit housing for seniors. The Benfield Farms development would be a good opportunity to introduce the concept. Interested partners would be the Fire Department and Council on Aging. The project could include smokers on long-term oxygen therapy. The Housing Authority does not have a policy on smoking. Carlisle Village instituted a non-smoking ban recently but it is unclear how this will affect leases of current residents who smoke.

BILLS – wages, office supplies and grant expenses. **It was moved (Galligan) and seconded (Risso) to approve the bills as presented.**

Meeting with Finance Director – Larry Barton appeared before the Board. The Board explained it is doing a detailed analysis of revolving account fees so that fees are more representative of actual costs. The balance is below an acceptable level. Barton asked about the Community Septic Loan funding. The Board had requested an initial \$100K since there is currently no money available to lend. The previous loan was paid off by the Town with paid off loans and \$60K voted at the spring town meeting. Town meeting had authorized a second loan request (\$200K). Barton said the note is for three years so financing of the note makes a difference whether the Board wants it now or in the spring. The Board does not have an application but plans on promoting the program. An application could happen at any time. The Board had agreed to review the application criteria in consideration of issues raised by Barton such as using the money as a bridge loan, the cost of executing a foreclosure or exceeding the value of the property and its ability to pay off an existing lien. Fantasia said applicants are asked to check with other lien holders and have an attorney review the documents. The Board agreed that its primary goals are public health and safety but that it was cognizant of the financial implications of running the program for the town. The Board felt the program

dealt with many of these items so that there would be no financial impact to the town. The Board explained that the situation with the revolving account required a lot of time to resolve and it would be looking at the Loan Program criteria soon. Barton said he is happy to work with the Board on the program.

Barton also suggested that the Board contact the Finance Committee if it cannot meet the FY14 "0" guideline budget. The Board has significant overruns in some line items of the FY13 operating account. The Board agreed to check with its liaison, Karen Huntress.

There was no further business. Meeting voted to adjourn at 9:00 pm.

Respectfully submitted,

Linda M. Fantasia,
Recorder